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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,216	07/07/2003	Shunichi Toyoshima	116692003900	7066
25227	7590	02/08/2006		EXAMINER
MORRISON & FOERSTER LLP 1650 TYSONS BOULEVARD SUITE 300 MCLEAN, VA 22102			NGUYEN, DUC MINH	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/613,216	TOYOSHIMA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Duc Nguyen	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-7,10,12 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7,10,12 and 14-17 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-12, 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (6,263,061) in view of Bayless et al (5,754,636).

Consider claims 1, 3, 10, 12, 14-17. Tanaka teaches a customer responding system, including a PBX (fig(s) 1, KSU 1) connected to an external telephone network (see fig(s) 1, CO line), which selectively connects a calling signal from the external telephone network to one internal line in an internal telephone network, plural telephone terminals (see fig(s) 1, DKT 2, SMDR 8, PC 3, 6, MIS 7) connected to the internal telephone network, and plural computer terminals (PC 3, 6) connected to each other through a predetermined network (column(s) 14, line(s) 40-57), which is placed, individually corresponding to the telephone terminal, the system comprising call back message (i.e., caller ID; column(s) 22, line(s) 1 through column(s) 24, line(s) 11) inputting means for accepting the inputting of a call back message with designating the computer terminal corresponding to the requested telephone terminal (column(s) 38, line(s) 37 through column(s) 39, line(s) 59), when the PBX can not get the requested telephone terminal amongst the plural telephone terminals, to receive a, calling signal from the external telephone network; call back data sending means for sending a call back data, displaying the content of the call back message accepted by the call back message inputting means, to the designated

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computer terminal through the network (i.e., caller ID; column(s) 22, line(s) 1 through column(s) 24, line(s) 11; column(s) 38, line(s) 37 through column(s) 39, line(s) 59); call back data receiving means for receiving the call back data sent by the data sending means (i.e., caller ID; column(s) 22, line(s) 1 through column(s) 24, line(s) 11; column(s) 38, line(s) 37 through column(s) 39, line(s) 59); and call back data displaying means, for displaying the received call back data in the designated computer terminal (i.e., caller ID; column(s) 22, line(s) 1 through column(s) 24, line(s) 11; column(s) 38, line(s) 37 through column(s) 39, line(s) 59).

Bayless teaches call back data sending means for sending a call back data, which is classified in predetermined items to indicate the content of a received call to be notified, based on the call back message accepted by the call back message data inputting means (see figure(s) 44; column(s) 29, line(s) 60 through column(s) 25) for the purpose of providing database directory service and incoming call identification as well as presenting the user with a fully functional telephone system using a flexible GUI (column(s) 1, line(s) 44-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Bayless into the teachings of Tanaka for the purpose mentioned above.

Consider claim 2. Column(s) 22, line(s) 21 through column(s) 24, line(s) 11 read on the limitations of this claim.

Consider claims 5, 11. Column(s) 22, line(s) 1-14, column(s) 23, line(s) 34-44 reads on the limitations of these claims.

Consider claim 6. Fig(s) 2, column(s) 21, line(s) 31 through column(s) 22, line(s) 14 read on the limitations of this claim.

Consider claims 7-8. Column(s) 23, line(s) 24-33 reads on the limitations of these claims.

Consider claim 9. Column(s) 39, line(s) 47-59 reads on the limitations of this claim.

3. Claims 4, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (6,263,061) in view of Bayless et al (5,754,636) as applied to claims 1-3, 5-12, 14-17 above, and further in view of Sherwood et al (6,324,263).

Consider claims 4, 13. Tanaka in view of Bayless does not teach determining whether or not to forward a call from the external telephone network to the requested telephone terminal, according to a business situation.

Sherwood teaches determining whether or not to forward a call from the external telephone network to the requested telephone terminal, according to a business situation (i.e., extension the caller usually call, column(s) 3, line(s) 8-17; column(s) 9, line(s) 35 through column(s) 10, line(s) 14; column(s) 23, line(s) 33 through column(s) 25, line(s) 11) for the purposes of allowing the caller to interrupt the automatic routing process and force transfer to another extension or to an attendant (column(s) 23, line(s) 33-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of Sherwood into the teachings of Tanaka in view of Bayless for the purposes mentioned above.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1-7, 10, 12, and 14-17 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc Nguyen whose telephone number is (571) 272-7503. The examiner can normally be reached on 7:00AM-3:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kuntz Curtis can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Duc Nguyen  
Primary Examiner  
Art Unit 2643

02/04/2006